THE HON'BLE SRI JUSTICE V. ESWARAIAH

Writ Petition No.2474 of 2007

Dated:09.02.2007

Between:

A. Vanaja and another.

....
PETITIONERS

AND

The Government of Andhra Pradesh, rep. by its Secretary, Department of Social and Tribal Welfare, A.P. Secretariat, Hyderabad and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V. ESWARAIAH

Writ Petition No.2474 of 2007

Order:

The petitioners seek a writ of mandamus to declare the order of the 3rd respondent-Agency Divisional Officer, Bhadrachalam in LTR case No.13/BCM/2005, dated 21.11.2006, said to have been served on the petitioners on 17.01.2007, in ordering their ejection from the possession of the immovable property i.e., Ac:0.05 cents of house site in patta No.138, situated at Bhadrachalam Mandal and Village, as illegal and arbitrary.

As against the impugned order passed by the 3rd respondent, there is an alternative remedy available by way of filing appeal before the Additional Agent to the Government within a period of 60 days from the date of the order. If the impugned order has not been communicated to the petitioners within time, I am of the opinion that such appeal can be filed within 60 days from the date of receipt of a copy of the order.

Having regard to the facts and circumstances of the case, the Writ Petition is dismissed granting liberty to the petitioner to file an appeal as against the impugned order before the Additional Agent to the Government within a period of two weeks from today and till such time, the petitioner shall not be

dispossessed. No costs.

V. ESWARAIAH, J.

Date: 09.02.2007
sj